

## CHAPTER XIII - AIRPORT SAFETY OVERLAY DISTRICT

A. **What This Chapter Does.** This chapter establishes airport safety zones around the Polson Airport, as called for by the Federal Aviation Administration (FAA) in the *Federal Aviation Regulations, Part 77 - Objects Affecting Navigable Airspace*. The purpose of the **Airport Safety Overlay District (ASOD)** is to protect the lives of aircraft pilots and passengers, and the public investment in the Polson Airport.

### *Division 1 - Procedural Requirements*

**B. Additional Requirements for Nonconforming Uses.** Nonconforming buildings and uses are regulated by the provisions of I.F and, within the ASOD, these additional requirements.

1. Nonconforming uses shall permit installation, operation, and maintenance of any markers or light needed to indicate their presence to aircraft pilots.
2. No nonconforming building or tree shall be permitted to become a greater hazard to air navigation than it was on the effective date of these regulations.

**C. Additional Requirements for Permits.** Within the ASOD, the permit requirements established by II.B. shall be expanded to include the planting of any tree with a growth habit of more than 30 feet and the construction of any building that is more than 30 feet in height, but is exempted from the requirement for a permit by II.D.

**D. Additional Requirements for Variances.** The variance procedure is described at II.Q. Any application for a variance of the height limitations established by this chapter shall be accompanied by a determination from the FAA as to the effect of the proposal on the operation of air navigation facilities and the safe use of navigable airspace.

**E. Obstruction Marking and Lighting.** Approval of any application for a permit or variance may be conditioned upon the installation, operation, and maintenance, at the owner's expense, of the markings or lights necessary to indicate the presence of an obstruction to aircraft pilots.

### *Division 2 - Height and Use Limitations*

**F. Height Limitation Zones.** The ASOD is composed of several height limitation zones, which include all land lying beneath the approach, transitional, horizontal, and conical surfaces appurtenant to the Polson Airport. Except as provided in XIII.G. no building, structure, or tree may extend above any of these surfaces. The height limitation zones are shown on a supplement to the zoning map adopted in III.D. Any area located in more than one of these zones is considered to be only in the zone with the more restrictive height limitation.

**1. Approach Zones.** These approach zones are for utility visual approach runways.

- a. The inner edges of these zones coincide with the width of the primary surface and are 250 feet wide. The approach zones expand outward uniformly to a width of 1,250 feet at a horizontal distance of 5,000 feet from the ends of the primary surface and their centerlines are continuations of the centerline of the runway.
- b. The utility runway visual approach surfaces slope twenty feet outward for each foot upward beginning at the end of, and same elevation as, the primary surface, and extending a horizontal distance of 5,000 feet along the extended runway centerline.

**2. Transitional Zones.** The transitional zones are the areas beneath the transitional surfaces, which slope seven feet outward for each foot upward beginning at the sides of and same elevation as the primary and approach surfaces, and extending to the horizontal surface. Transitional surfaces also slope seven feet

outward for each foot upward beginning at the sides of and same elevation as the approach surface, and extending to the conical surface.

**3. Horizontal Zone.** This zone is described by swinging arcs of 5,000 feet from the center of each end of the primary surface and connecting the adjacent arcs by drawing lines tangent to them. The horizontal zone does not include the utility runway visual approach or transitional zones. The horizontal surface is 150 feet above the airport elevation.

**4. Conical Zone.** This zone is the area that commences at the perimeter of the horizontal zone and extends outward from it a horizontal distance of 4,000 feet. The conical surface slopes 20 feet outward for each foot upward beginning at the edge of the horizontal surface, and extending to a height of 350 feet above the airport elevation.

**5. Nothing in this chapter shall prevent construction or maintenance of any structure of 30 feet or less in height, or growth of any tree to a height of 30 feet, above the surface of the land within the horizontal and conical zones.**

**G. Use Restrictions.** No use shall interfere with navigational signals or radio communication between the airport and aircraft, make it difficult for pilots to distinguish between airport lights and other lights, result in glare in the eyes of pilots using the airport, impair visibility in the vicinity of the airport, create bird strike hazards, or in any way endanger or interfere with the operation of aircraft.

**H. RESERVED**